

CARL WAYNE CRABTREE §
v. § CIVIL ACTION NO. 6:17cv102
DIRECTOR, TDCJ-CID §

pursuing his state remedies within 30 days of the date of entry of the order of administrative closing and his returning to federal court within 30 days of the date of final disposition of his state court proceedings in the event these proceedings do not grant him the relief he seeks.

No objections were filed to the Report, and the parties are therefore barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*). Crabtree did file a “motion for leave to file motion for additional 30 days to pursue state court remedies.” In the interest of justice, this will be construed as a motion for extension of the 30-day period in which to pursue his state remedies, and this request should be granted. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 6) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the above-styled application for the writ of habeas corpus is **ADMINISTRATIVELY CLOSED** and placed on an inactive docket for administrative and statistical purposes. The case may be reopened at such time as Crabtree notifies the Court that all state processes have been completed on the claims he wishes to present in federal court. This administrative closing shall have no effect upon the substantive rights of any party. It is further

ORDERED that the Petitioner’s motion for extension of time to pursue his state court remedies (docket no. 8) is **GRANTED**. The Petitioner shall have until June 1, 2017, in which to seek habeas corpus relief in state court or otherwise pursue his state court remedies

So ORDERED and SIGNED this 3rd day of May, 2017.



Ron Clark, United States District Judge